

PATENT

Attorney Docket No.: MP0246
(13298/2)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. : 10/621,755 Confirmation No. 1730
Applicant : Ke HAN
Filed : July 16, 2003
Title : OPTIMAL ONE-SHOT PHASE AND FREQUENCY ESTIMATION
FOR TIMING ACQUISITION
TC/A.U. : 2611
Examiner : Leila MALEK

COMMENT ON STATEMENT OF REASONS FOR ALLOWANCE

MAIL STOP ISSUE FEE

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Reasons for allowance are only warranted in instances in which "the record of the prosecution as a whole does not make clear the Examiner's reasons for allowing a claim or claims." 37 C.F.R. 1.104(e). In the present case, Applicant believes the record as a whole makes clear the reasons for allowance and therefore no statement by the Examiner is necessary or warranted.

Moreover, the Statement of Reasons for Allowance is not accurate. For example, the Examiner has referred to claim language in allowed method claim 11. However, there are numerous apparatus claims, including claims 25, 27, 39, 41, 53, 55, and 83 and their dependencies. Applicant does not concede that these apparatus claims can be practiced only by practicing the claim 11 method, nor that method claim 11 can be practiced only by using one of the claimed apparatus.

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Notice of Allowance Mail Date October 2, 2007

PATENT APPLICATION

Applicant submits these Comments in an effort to ensure that the claims are properly construed based only upon limitations that are actually present therein and/or to ensure that the claims are not interpreted so as to include any additional claim limitations that are not found in the respective claims.

Respectfully submitted,
KENYON & KENYON LLP

Dated: December 31, 2007

By: /Frank L. Bernstein/
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